

REMARKS:

At the time of the Office Action, claims 1-9 and 11-23 were pending. Claims 1-9 stand rejected and claims 11-23 were withdrawn from consideration. Pursuant to this amendment, claim 1 has been amended, claims 11-23 have been cancelled, and new claims 24-37 have been added. Claims 1-9 and 24-37 are pending in the subject application.

The election requirement made by the Examiner is still respectfully traversed. According to the Examiner's reasoning, had the applicants elected to prosecute claims 11-23, the Examiner would have removed the election requirement because all of the limitations found in claims 1-9 can also be found in claims 11-23. However, it is common practice for applicants to elect the broadest set of claims when faced with an election requirement to ensure that the search will identify the most relevant prior art as could be applied against all of the claims. A search concerning the broadest claims should encompass a search associated with the narrow claims, not the other way around as suggested by the Examiner. As previously argued, a thorough and complete search for the subject matter of the elected claims in this case would also require a search of the subject matter for the non-elected claims. In any event, in order to simply advance the prosecution of the subject application, claims 11-23 have been cancelled and rewritten as claims 24-36 so as to depend from claim 1. Thus, it is respectfully suggested that the election requirement is now moot. In addition, since claims 24-36 depend from claim 1, they are allowable for the same reasons applied thereto as explained below, as well as for the additional subject matter recited in each.

As requested by the Examiner, attached herewith is a copy of DE 19848717 previously submitted with the IDS of 10/18/2004.

Claims 1, 2, 4 and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by Barth et al. (U.S. Pat. No. 4,576,534); claims 1, 5, 6 and 8 stand rejected under 35 U.S.C. 102(b) as being anticipated by Capuano (U.S. Pat. No. 4,273,175); claims 1-3 stand rejected under 35 U.S.C. 102(b) as being anticipated by Ollis, Jr. et al. (U.S. Pat. No. 3,982,575); and claims 1, 2, 4, 5, 7 and 9 stand rejected under 35 U.S.C. 102(b) as being

anticipated by Dicke (U.S. Pat. No. 5,044,853). These rejections are traversed for at least the following reasons.

Without agreeing with the Examiner as to what is or is not taught by the art of record, claim 1 has been amended to more clearly define what it is the applicants regard as their invention. More specifically, claim 1 has been amended to recite that the depressions located on the pressure flank are spaced apart (unlike, e.g., Barth et al.); that the depressions are formed from the outer edge generally radially inwardly towards the shank in such a manner that the continuous outer edge of the thread is generally tapered to form a peak at each point along its length (unlike, e.g., Capuano or Ottis, Jr. et al.); and that the drive flank has a generally flat surface extending from the shank to the outer edge of the thread along substantially the length of the thread (unlike, e.g., Dicke). None of the art of record includes all of the limitations now set forth in claim 1, and there is no teaching or suggestion in the art of record that would lead one skilled in the art to modify any of the threaded fasteners disclosed therein in accordance with the threaded fastener of the present invention. For at least these reasons, claim 1 is patentable over the art of record either taken alone or in combination. Claims 2-9 depend from claim 1 and, therefore, are allowable for the same reasons applied thereto as well as for the additional subject matter recited in each.

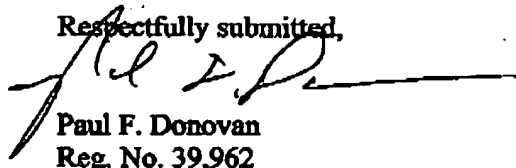
New claim 37 depends from claim 1 and, therefore, is allowable for the same reasons applied thereto as well as for the additional subject recited therein.

No new matter has been added by way of the amendments and remarks made herein. Reconsideration of the rejected claims and allowance of all the pending claims is respectfully requested. In the event that there are any remaining issues that can be addressed and expedited by telephone conference, the Examiner is invited to telephone the undersigned at the number indicated below.

Illinois Tool Works, Inc.
3600 West Lake Avenue
Glenview, Illinois 60026

Telephone (847) 657-4075
FAX (847) 724-4160

Respectfully submitted,



Paul F. Donovan
Reg. No. 39,962